

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

Terrel Gregory, et al.,

Plaintiffs

v.

Rebecca Palmer, et al.,

Defendants

Case No. 2:20-cv-01439-CDS-EJY

Order Denying Stipulation of  
Dismissal with Prejudice

[ECF No. 43]

The parties stipulate to dismiss this action with prejudice (ECF No. 43); however this case is already closed. On September 15, 2023, I granted defendants Jesse Lee Cesena, City of North Las Vegas, Oscar Conchas, Sean Montgomery, Rebecca Palmer's motion for summary judgment on plaintiffs Ella Ukaoma-Gregory and Terrel A. Gregory's federal claims and declined to exercise supplemental jurisdiction over the remaining state claims, which were remanded to state court. Order, ECF No. 41.

Once a district court certifies a remand order to state court, the district court is divested of jurisdiction and can take no further action on the case. *Seedman v. U.S. Dist. Ct. for Cent. Dist. of California*, 837 F.2d 413, 414 (9th Cir. 1988). The Ninth Circuit has unambiguously held that district courts may take no action post-remand and parties have provided no authority for this court's continued exercise of jurisdiction of this case following remand. *Id.*; see *Moore v. Permanente Med. Grp., Inc.*, 981 F.2d 443, 445 (9th Cir. 1992) (the district court is divested of jurisdiction on the merits after remand). Because this court is divested of jurisdiction and is without power to take further action on this case, it is left with no option but to DENY the stipulation.

Dated: December 19, 2023

  
Cristina D. Silva  
United States District Judge